

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM #1 Adult Protective Services Program Regulation Amendments (Definitions)

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held on May 15, 2019, at the following address:

Office Building # 8  
744 P St. Room 103  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify CDSS at least two weeks prior to the hearing.

Statements or arguments related to the proposals may also be submitted in writing, e-mail or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on May 15, 2019.

Following the public hearing, CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at [CDSS Public Hearings for Proposed Regulations](http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulation-Changes-In-Process-and-Completed-Regulations/Public-Hearing-Information) (<http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulation-Changes-In-Process-and-Completed-Regulations/Public-Hearing-Information>). Additionally, all the information which CDSS considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading at the address listed below. Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

Office of Regulations Development  
California Department of Social Services  
744 P Street, MS 8-4-192  
Sacramento, California 95814

TELEPHONE: (916) 657-2586  
FACSIMILE: (916) 654-3286  
E-MAIL: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

## CHAPTERS

California Department of Social Services Manual of Policies and Procedures,  
Division 33, Chapter 33-100, Section 33-130 (Definitions).

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Division 33 of the California Department of Social Services includes regulations for the Adult Protective Services (APS) program. The APS program is intended to provide intervention activities directed toward safeguarding the well-being of elders and dependent adult suffering from or at risk of abuse or neglect. These regulations are equally binding upon all agencies, public and private, engaged in the delivery of adult protective services, whether directly or by contract or other formal agreement coming under the supervisory purview of CDSS.

These proposed regulations update definitions of pertinent terms to assist APS social workers and workers in related agencies in understanding the regulations and mandates associated with the program.

The proposed regulations will assist state APS workers in carrying out their mandated responsibilities in a more consistent and efficient manner. By tightening the definitions of emergency shelters, clergy, financial mandate reporters, and expanding those definitions, workers can better enlist the aid of stakeholders and additional agencies in resolving cases. The improved understanding and reduction of ambiguity regarding, for example, financial abuse, will directly benefit victims and potential victims of financial crimes.

As a result, the benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: It enables Adult Protective Services to more comprehensively address and remedy issues afflicting clients by expanding and refining definitions and terminology throughout the state, eliminating a degree of uncertainty and ambivalence, making work protecting the elderly and disable more effective.

The Department considered other possible related regulations in this area and found that these are the only regulations dealing in this subject area and therefore, the Department finds that these proposed regulations are compatible and consistent with the intent of the APS program, as well as with existing state regulations.

### COST ESTIMATE

1. Costs or Savings to State Agencies: No additional costs or savings.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500 - 17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No fiscal impact.
4. Federal Funding to State Agencies: No fiscal impact.

## LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies, but not on school districts. There are no "state-mandated local costs" in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the Government Code.

## STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the knowledge that there would be no fiscal impact because the proposed action is limited to the broadening and inclusion of definitions to align APS policies with state code.

## STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would incur in reasonable compliance with the proposed action.

## SMALL BUSINESS IMPACT STATEMENT

The CDSS has determined there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

## STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: It enables Adult Protective Services to more comprehensively address and remedy issues afflicting clients by expanding and refining definitions and terminology throughout the state, eliminating a degree of uncertainty and ambivalence, making the work protecting the elderly and disabled more effective.

## STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

## STATEMENT OF ALTERNATIVES CONSIDERED

In developing the regulatory action, CDSS did not consider any alternatives as none were presented for consideration.

The CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

## AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Sections 10553 and 10554, Welfare and Institutions Code. Subject regulations implement and make specific Sections 15610.17, 15610.19, 15610.23, 15610.47, 15610.50, 15610.55, 15610.57, 15610.63, 15610.67, 15610.70, 15630, 15630.1, 15751, and 15760, Welfare and Institutions Code; and Sections 1418 and 1502, Health and Safety Code.

## CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person:	Everardo Vaca	(916) 657-2586
Backup:	Sylvester Okeke	(916) 657-2586